

OGC 7-0305

26 February 1957

MEMORANDUM FOR: Director of Security

SUBJECT: Polygraph Tests

1. In connection with a recent court-martial action in which the information was originally developed in a Polygraph interview, the Director asked if we might be embarrassed by the form of waiver we ask employees to sign. I understand from your Office that a few people have actually refused to sign, have not been terminated for that reason, and are still on duty. I think this in itself would be an answer to any criticism, although I am not at all perturbed about knowledge that we use the Polygraph to assist our security practices.

2. In going into the matter, however, we have talked to the National Security Agency, as indicated by the attached papers, and feel that perhaps including some of their language and changing slightly our form would be worth consideration. I have, therefore, prepared the attached draft and request your comments or concurrence. I note that the National Security Agency apparently administers the test to applicants while our form refers to employees. Should we have it in the alternative or do we not use it for applicants in any case?

S/
LAWRENCE R. HOUSTON
General Counsel

Att-2 -- Memo for Record,
dtd 16 Jan 57, from
Asst. Gen. Counsel

Draft Waiver

OGC:LRH:jeb

cc: OGC chrono

OGC:LRH:jeb
26 February 1957
DRAFT

CENTRAL INTELLIGENCE AGENCY
Washington, D. C.

I, _____, an employee of the Central Intelligence Agency, understand that the Agency uses the Polygraph (also known as the "Lie Detector") to assist in personnel, security, and other investigations and that every employee of the Agency at one or more times will be requested to participate in Polygraph tests. I also understand my rights under the Fifth Amendment to the Constitution of the United States that no person may be compelled to bear witness against himself and that refusal to participate in Polygraph tests in and of itself will not be cause for my termination. I, therefore, of my own free will and without any compulsion, duress, or promise of reward or immunity, agree to an interview with officials of the Central Intelligence Agency during which I will participate in Polygraph tests. I further understand that any information developed by such interview will not be released by the Agency outside of the Government except as may be required by due process of law.

I have read the foregoing and fully understand its import.

IN WITNESS WHEREOF, I place my signature below, this ____
day of _____ 19 ____.

The above was read and signed in my presence this ____ day
of _____ 19 ____.
